

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of
MCI Telecommunications Corporation,
Complainant,
v.
U S West Communications, Inc.,
Defendant.
File No. E-96-38

ORDER

Adopted: January 5, 2000

Released: January 6, 2000

By the Deputy Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On July 19, 1996, complainant MCI Telecommunications Corporation (MCI) filed the above-captioned complaint against U S West Communications, Inc.(U S West), alleging that U S West violated sections 201(a) and 201(b) of the Communications Act of 1934, as amended, by providing consistently poor access service as to both provisioning and maintenance from January 1995 to, at least, March 1997.

2. On December 30, 1999, MCI filed a motion to voluntarily dismiss the complaint pending against U S West with prejudice, with each party to bear its own costs, expenses, and fees. MCI states that the parties have entered into a settlement agreement resolving the matter. MCI further states that U S West does not oppose the motion.

1 On June 15, 1999, MCI Telecommunications Corporation, which had recently merged with WorldCom, was renamed MCI WorldCom Network Services, Inc.

2 47 U.S.C. §§ 201(a), 201(b).

3. Upon review of MCI's motion to dismiss and the entire record herein, we believe that the grant of the motion and the dismissal of this complaint with prejudice will serve the public interest by promoting the private resolution of disputes and conserving the Commission's and the parties' resources.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 201(a), 201(b), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 201(a), 201(b), 208, and the authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the unopposed motion to dismiss the above-captioned complaint with prejudice IS GRANTED.

5. IT IS FURTHER ORDERED that the above-captioned complaint proceeding IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

6. IT IS FURTHER ORDERED that this Order is effective immediately upon release thereof.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Deputy Chief, Market Disputes Resolution Division
Enforcement Bureau